IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

Bail Appl..No. 1114 of 2007()

(NO CRIME REGISTERED)

: PETITIONERS.

---

1. BIJU, S/O.DEVASSIA,
   PATHINETTIL CHIRA, KAVALAM NORTH P.O,.
   ALAPPUZHA DISTRICT.

2. BIJITH, S/O.DEVASSIA,
   PATHINETTIL CHIRA, KAVALAM NORTH P.O.
   ALAPPUZHA DISTRICT.

3. DEVASSIA, S/O.KURUVILA,
   PATHINETTIL CHIRA, KAVALAM NORTH P.O.
   ALAPPUZHA DISTRICT.

BY ADV. SRI.H.BADARUDDIN
SRI.C.A.JOSEPH

RESPONDENTS:

---

1. THE SUB INSPECTOR OF POLICE,
   KAINADY POLICE STATION, PULIMKUNNU,
   ALAPPUZHA DISTRICT.

2. THE STATE OF KERALA, REPRESENTED BY ITS
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1114 OF 2007

Dated this the 27th day of February, 2007

O R D E R

Petitioners seek anticipatory bail on the allegation that the Kainady police are at their heels at the instance of one Ouseph John, whose sons are alleged to have been cheated by a Nepali citizen by name Krishna Bajaj promising overseas employment.

2. Learned Public Prosecutor, on instructions, submitted that eventhough a complaint has been received from the aforesaid Ouseph John, no crime has been registered by the Kainady police so far and that the petitioners were not available for questioning after receipt of the said complaint. If no crime has been registered against the petitioners so far, there cannot be any investigation. If so, the apprehension of arrest and harassment entertained by the petitioners is unfounded. Recording the submission made by the Public Prosecutor, this petition is closed without prejudice to the right of the petitioners to move the appropriate Forum for bail in case any crime has been registered against them.

(V. RAMKUMAR, JUDGE)

aks